

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants: Johnson et al.  
Appl. No.: 08/458,019  
Conf. No.: 2660  
Filed: 1 June 1995  
Title: PROCESSES FOR IN VIVO PRODUCTION OF ASTAXANTHIN AND  
PHAFFIA RHODOZYMA YEAST OF ENHANCED ASTAXANTHIN  
CONTENT  
Art Unit: 1651  
Examiner: LILLING, Herbert J.  
Docket No.: 116588-002

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the examiner dated 14 February 2006 rejecting Claims 25-34.

The fee for this Notice of Appeal is \$250.00 (small entity status). Please charge Deposit Account No. 02-1818 to cover the requisite fees. The Commissioner hereby is authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

BELLY, BOYD & LLOYD LLC

BY 

Dean H. Nakamura

Reg. No. 33,981

Customer No. 29,180

Dated: 14 August 2005